



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**JUDICIARY**

Tuesday, March 1, 2016                      12:00 p.m.                      Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Irwin moved to adopt the minutes of February 23, 2016. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

HB 5024 (Lucido)                      Crimes; intoxication or impairment; impaired driving safety  
commission; create.

Representative Lucido moved to adopt the substitute (H-1) to HB 5024. The motion prevailed, the vote being 11-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Brett Visner, representing the Michigan Beer and Wine Wholesalers Association, submitted a card in support of the bill, but did not wish to speak.

Representative Lucido moved to report out HB 5024 with recommendation, as substitute (H-1). The motion prevailed, the vote being 10-1-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: Rep. Cole.

Pass: None.

Chairman Kesto laid the following bill before the committee:

SB 551 (Schuitmaker) Probate; wills and estates; designation of a funeral representative to make disposition arrangements for decedent; provide for.

Representative Lucido offered the following amendments to SB 551:

1. Amend page 22, line 7, after "establishment" by inserting a comma and **"CEMETERY, OR CREMATORY"**.
2. Amend page 22, line 10, after **"POWERS."** by inserting **"A CEMETERY OR CREMATORY MAY RELY ON A FUNERAL ESTABLISHMENT'S REPRESENTATION AS TO WHO MAY EXERCISE THE RIGHTS AND POWERS UNDER SECTION 3206(1)."**
3. Amend page 22, line 10, after "establishment" by inserting a comma and **"CEMETERY, OR CREMATORY"**.
4. Amend page 22, line 14, after **"ESTABLISHMENT"** by inserting a comma and **"CEMETERY, OR CREMATORY"**.

Representative Lucido moved to adopt the amendments to the bill. The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

The following individuals submitted cards in support of the bill, but did not wish to speak:

Bill Kandler, representing the Michigan Probate Judges Association.

Christian Nohner, representing the Michigan Academy of Family Physicians.

Representative Heise moved to report out SB 551 with recommendation, as amended, as substitute (H-1). The motion prevailed, the vote being 11-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Chairman Kesto laid the following bill before the committee:

HB 4045 (Johnson) Criminal procedure; warrants; defraying of costs incurred by local unit of government in executing bench warrants; allow.

Representative Johnson testified in support of the bill. Questions and discussion followed.

Bruce Timmons testified in opposition to the bill and submitted written testimony. Questions and discussion followed.

The following individuals submitted cards in support of the bill, but did not wish to speak:

Duane Bean II, Chief of the Gladwin Police Department, and submitted written testimony.  
Justin Dickman, representing the Michigan Township Association.

The following individuals submitted cards in opposition to the bill, but did not wish to speak:

Noah Smith, representing the Criminal Defense Attorneys of Michigan.  
Cami Pendell, representing the Michigan Judges Association.  
Shelli Weisberg, representing the American Civil Liberties Union of Michigan.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:28 p.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

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